

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

EPCON COMMUNITIES)	
CAROLINAS, LLC and)	
EPCON FARRINGTON, LLC,)	
)	
Plaintiffs,)	
)	
v.)	
)	1:11CV643
IRIS M. TILLEY, individually and as)	
TRUSTEE pursuant to the Tilley Six Trust)	
(dated) September 17, 1993; THOMAS E.)	
TILLEY, individually and as TRUSTEE)	
pursuant to the B&R Farms Trust dated)	
September 19, 1993; MELBA GEORGE,)	
individually and as TRUSTEE of the Epcon)	
Farm Trust; BARBARA WRIGHT,)	
individually and as TRUSTEE of the Epcon)	
Farm Trust, and the UNITED STATES)	
OF AMERICA,)	
)	
Defendants.)	

ORDER

Plaintiffs filed their Amended Complaint [Doc. # 18] on October 14, 2011. Defendants Iris M. Tilley and Thomas E. Tilley (the "Tilley Defendants") filed pro se counterclaims [Doc. # 39, 44] against the Plaintiffs. The Plaintiffs have moved to dismiss each of these counterclaims [Doc. # 41, # 47].

On January 23, 2012, the Magistrate Judge issued a Recommendation [Doc. # 58] that the Plaintiffs' motions to dismiss be granted. The Tilley Defendants timely objected [Doc. # 62], and the Plaintiffs timely responded [Doc. # 73].

A court is not required to conduct a de novo review where objections to the

recommendation of the Magistrate Judge are general and conclusory. See Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir.1982) (citing United States v. Merz, 376 U.S. 192 (1964)). In this case, the Tilley Defendants' objections do not even rise to the level of general and conclusory. As with the majority of their filings, a significant portion of the objection is incoherent, and to the extent that it can be understood, it is generally facially frivolous. See, e.g., Doc. # 62 at 5 (claiming that "All '[Court or Statutory]' Rules Are Invalid - [As they Apply *to the people*, ANY of Them]") (alterations and emphasis in original).

Notwithstanding the Tilley Defendants' failure to object properly, and in consideration of the fact they are proceeding pro se, the Court did perform a de novo review of the Magistrate Judge's Recommendation. Based on this review, the Court finds the Magistrate Judge's Recommendation to be an accurate reflection of the law. The Recommendation [Doc. # 58] is therefore adopted in full. The Plaintiffs' Motions to Dismiss [Doc. # 41, # 47] are therefore GRANTED, and the Tilley Defendants' Counterclaims [Doc. # 39, # 44] are DISMISSED.

This the 28th day of March, 2013.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge